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EPA Region 2 Meeting Brooklyn Resource Recovery, Inc. – Brooklyn, New York

- 1. INTRODUCTIONS**
- 2. MEETING OBJECTIVES**
- 3. FACILITY PERMITTING STATUS**
- 4. SHREDDER HAS FEDERALLY ENFORCEABLE LIMITS THAT SETS PTE BELOW RACT, TITLE V AND NSR APPLICABILITY THRESHOLDS**
- 5. SHREDDER TESTING AT BRR IS BURDENSOME AND UNREASONABLE.**
- 6. USE OF ALTERNATE UNCONTROLLED SHREDDER EMISSION FACTORS IS AN ACCEPTABLE AND CREDIBLE METHOD TO DETERMINE COMPLIANCE WITH APPLICABLE RULES.**
- 7. NEXT STEPS**



EPA Region 2 Meeting Brooklyn Resource Recovery, Inc. – Brooklyn, New York

1. INTRODUCTIONS

2. MEETING OBJECTIVES

- A. Provide EPA Region 2 Team with preliminary facility air permitting overview
- B. Respond to Section 114 request for shredder testing at BRR
- C. Discuss next steps



EPA Region 2 Meeting Brooklyn Resource Recovery, Inc. – Brooklyn, New York

3. FACILITY PERMITTING STATUS

- A. The existing engines are permitted under an NYSDEC Air Facility Registration Certificate (Registration ID 2-6105-00253/02000 most recently issued on June 27, 2016 – see Figure 1 attached) that establishes a federally enforceable emissions cap (*Capping by Rule*) that requires actual emissions to be maintained at less than 50% of the major facility thresholds or applicable state thresholds. In the case of VOC and NO_x, the applicable state threshold for BRR is 25 tpy (New York Metropolitan area).

**Title 6. Department of Environmental Conservation – Chapter III Air Resources
Subchapter A. Prevention and Control of Air Contamination and Air Pollution.**

Part 201. Minor Facility Registration

Part 201-4.5. Emission capping by rule (Revised rule effective February 25, 2021)

- (a) 'Purpose'. The purpose of this section is to provide a method of establishing federally enforceable emission caps known as capping by rule. A facility may cap by rule as follows:
- (1) 'Major Facility Thresholds'. To avoid the requirement for a Title V facility permit, the facility owner or operator must maintain actual emissions of each regulated air contaminant at less than 50 percent of the major facility thresholds, as described in Paragraph 201-2.1(b)(21) of this Subpart, during each 12-month period; and/or
 - (2) 'Applicable State Thresholds'. To avoid the control requirements of a state regulation, the facility owner or operator must maintain actual emissions of volatile organic compounds at less than 50 percent of an applicability threshold based on potential to emit in that regulation during each 12-month period.



EPA Region 2 Meeting
Brooklyn Resource Recovery, Inc. – Brooklyn, New York

3. FACILITY PERMITTING STATUS

Figure 1. NYSDEC Air Facility Registration Certificate
Brooklyn Resource Recovery, Inc. – Brooklyn, New York

New York State Department of Environmental Conservation

Registration ID: 2-6105-00253/02000 Facility DEC ID: 2-6105-00253

AIR FACILITY REGISTRATION CERTIFICATE
in accordance with 6 NYCRR Subpart 201-4

Registration issued to: BROOKLYN RESOURCE RECOVERY INC
741 ROCKAWAY PKY
BROOKLYN, NY 11236-1814

Contact: ROBERT ROSSELLI
BROOKLYN RESOURCE RECOVERY INC
741 ROCKAWAY PARKWAY
BROOKLYN, NY 11236
(718) 531-6606

Facility: BROOKLYN RESOURCE RECOVERY INC
5811 PRESTON CT
BROOKLYN, NY 11234

Description:
Scrap Metal Processing Facility.
One diesel 500 Kw Caterpillar #D 398 Generator Set for generating for plant equipment.
Two of EMD Diesel Direct Drive Motor for Shredder. Rated at 4000 Hp each.

Total Number of Emission Points: 3 **Cap By Rule:** Yes

Authorized Activity By Standard Industrial Classification Code:
5093 - SCRAP AND WASTE MATERIALS

Registration Effective Date: 06/27/2016 **Registration Expiration Date:** 06/26/2026

List of Regulations in Application:

6 NYCRR Part 200	General Provisions
6 NYCRR Part 201	Permits and Registrations
6 NYCRR Part 211	General Prohibitions
6 NYCRR Part 212	General Process Emission Sources
6 NYCRR Part 225	Fuel Composition and Use
6 NYCRR Part 227	Stationary Combustion Installations
40 CFR Part 60, Subpart III	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines



EPA Region 2 Meeting Brooklyn Resource Recovery, Inc. – Brooklyn, New York

3. FACILITY PERMITTING STATUS

- B. The shredder is not specifically identified in the NYSDEC Air Facility Registration Certificate for the engines because prior to February 25, 2021, NYSDEC considered automobile shredders and metal recycling facilities to be *Trivial Activities* pursuant to Part 201-3.

Title 6. Department of Environmental Conservation – Chapter III Air Resources
Subchapter A. Prevention and Control of Air Contamination and Air Pollution.
Subpart 201-3. Permit Exempt and Trivial Activities

Part 201-3.1. Applicability (Revised rule effective February 25, 2021)

- (a) Except as provided in subdivisions (c) and (d) of this section, an emission source listed as an exempt or trivial activity in this Subpart is exempt from the registration and permitting provisions of Subparts 201-4, 201-5, and 201-6 of this Part. This does not mean that these activities are exempted from other applicable requirements or from applicable registration and/or permitting requirements of local air pollution control agencies.
- (b) Unless otherwise provided for in this Chapter, emissions from exempt activities must be included in potential to emit calculations when determining whether a facility or emission source is subject to:

- I. Since the shredder is directly linked to the EMD engine, the federally enforceable emissions cap on the engine (i.e., actual NO_x emissions less than 12.5 tpy), effectively defines a federally enforceable emissions cap from the shredder by limiting operation of the shredder to only the time that the engine is operating.



EPA Region 2 Meeting Brooklyn Resource Recovery, Inc. – Brooklyn, New York

3. FACILITY PERMITTING STATUS

- C. On February 25, 2021, NYSDEC adopted revised rules that specifically exempted metal recycling and automobile shredders from list of trivial activities pursuant to Part 201-3.3(c)(41).

Title 6. Department of Environmental Conservation – Chapter III Air Resources
Subchapter A. Prevention and Control of Air Contamination and Air Pollution.
Subpart 201-3.3. Trivial Activities

Part 201-3.3(c). Applicability (Revised rule effective February 25, 2021)

- (c) The category headings used in the following listing of trivial activities are strictly for organizational purposes and are not intended to be definitive. The following activities are trivial and are exempt from permitting requirements and do not need to be included in the title V facility permit application.
- (41) Solid waste handling equipment, including but not limited to: dumpsters, transfer stations, wood chippers, recycling operations, composting operations, and associated activities. This activity does not include solid waste incinerators and other thermal treatment technologies, scrap metal and automotive shredding operations, or construction and demolition.

- I. As a result of the recent revision to Part 201-3, BRR will work with Regional NYSDEC permitting staff to apply for a State Facility Permit pursuant to Part 201-5, to establish clear and enforceable limits on potential emissions from the facility that will include fuel oil combustion emissions, shredder emissions and material processing emissions.



**EPA Region 2 Meeting
Brooklyn Resource Recovery, Inc. – Brooklyn, New York**

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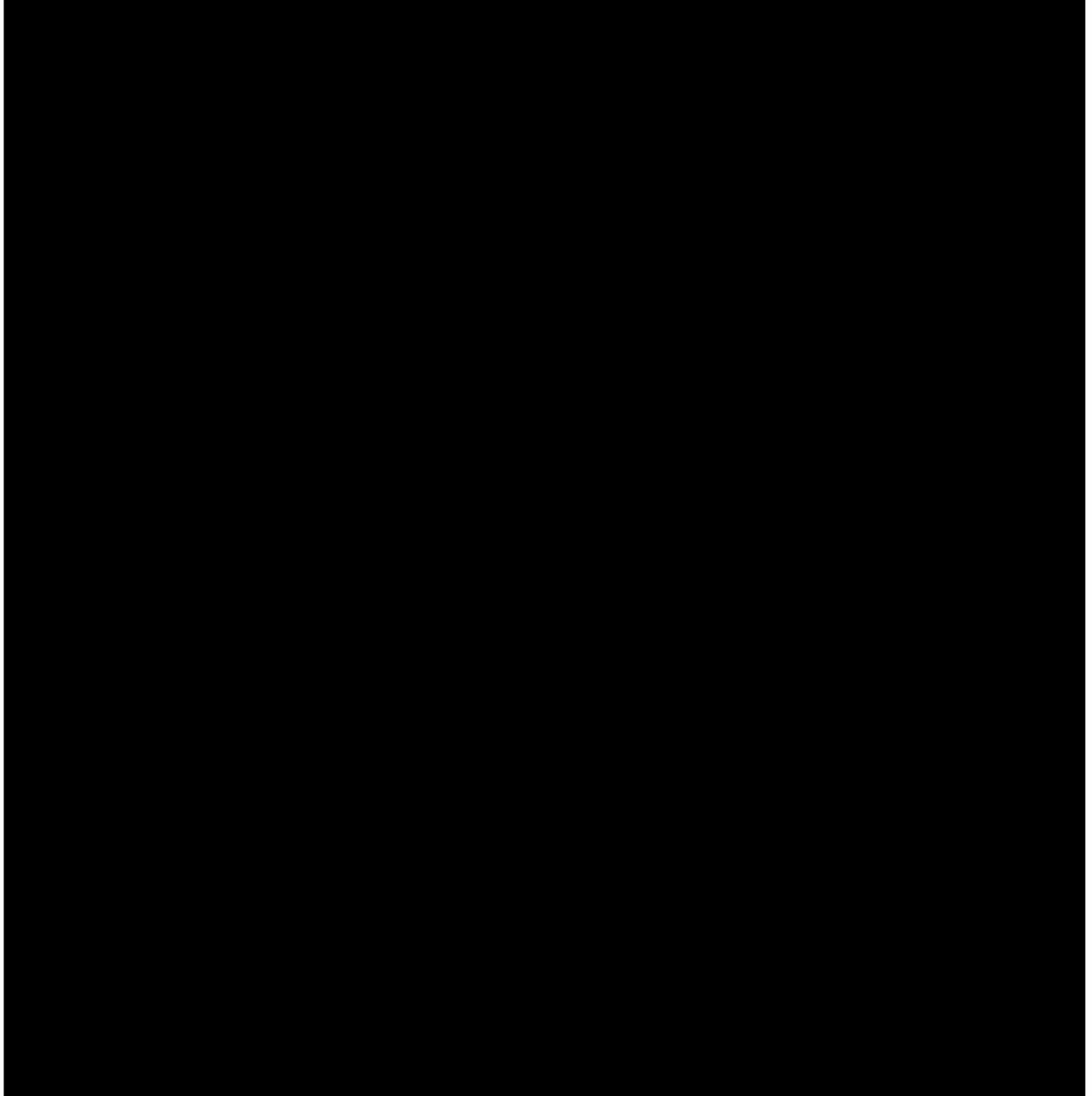
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Brooklyn Resource Recovery, Inc. – Brooklyn, New York**

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Brooklyn Resource Recovery, Inc. – Brooklyn, New York

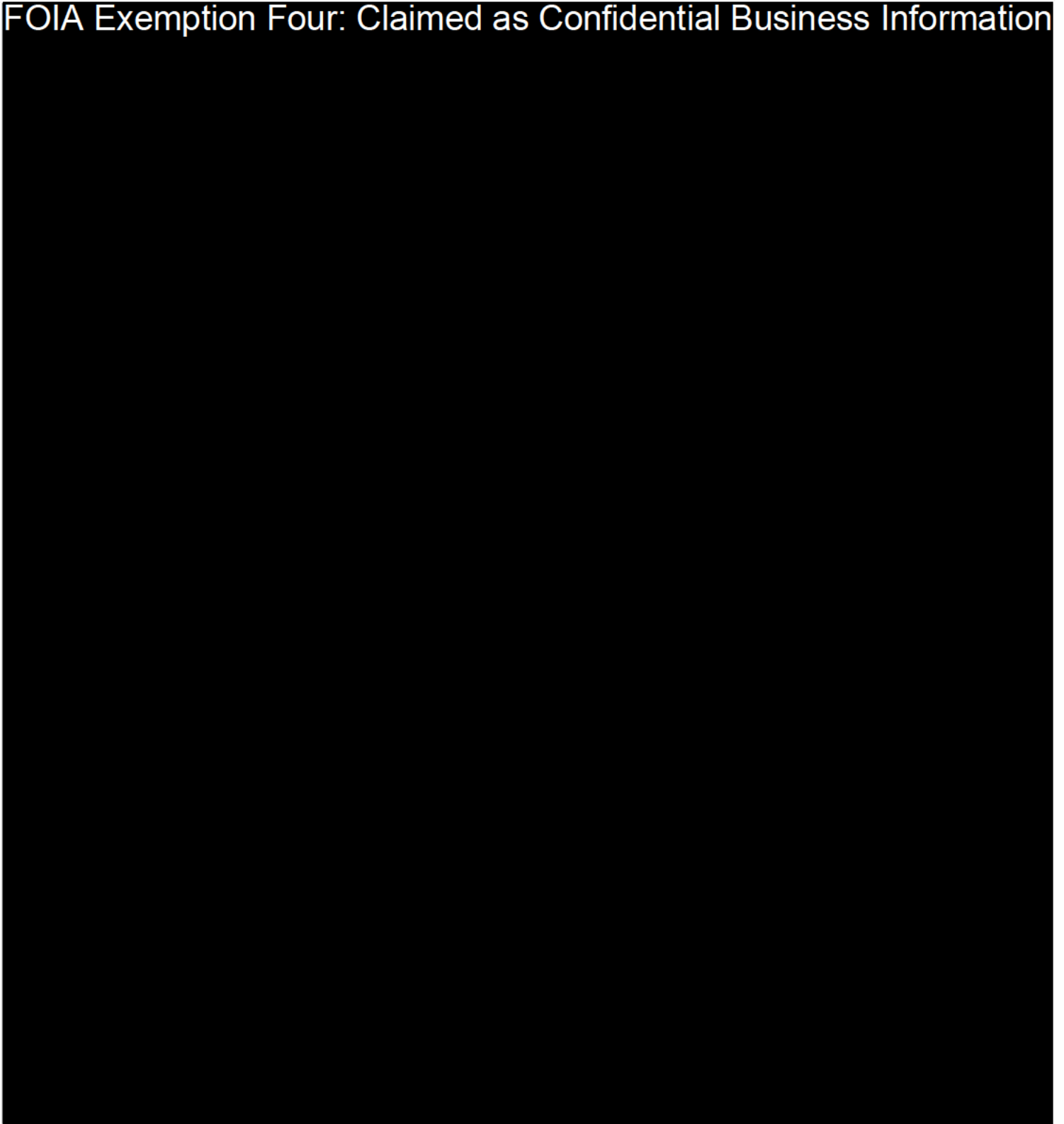
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Brooklyn Resource Recovery, Inc. – Brooklyn, New York

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Brooklyn Resource Recovery, Inc. – Brooklyn, New York**

**6. USE OF ALTERNATE UNCONTROLLED
SHREDDER EMISSION FACTORS IS AN
ACCEPTABLE AND CREDIBLE METHOD TO
DEMONSTRATE COMPLIANCE WITH APPLICABLE RULES**

- A. BRR's operating personnel have significant experience processing scrap metal in several major metropolitan areas and understand that the characteristics of general scrap metal streams do not vary significantly.
- B. Emission factors from other similarly sized shredders processing similar scrap metal streams (included a similar weight percent of ELVs) will result in relatively consistent emission factors provided test methods are consistent and capture efficiency is accurately determined.
- C. Uncontrolled emission factors for VOC, HAPs, and metals (including hexavalent chromium) are available in public documents. Reports of all compliance demonstration tests are part of the public record and are available through State FOIA requests.
- D. Identification and application of uncontrolled emission factors from similar facilities is a commonly accepted method by regulatory agencies for the purpose of establishing emission limits for demonstrating compliance.
- E. Based upon the limited annual capacity of BRR, use of similar emission factors is an appropriate and credible method of establishing shredder emissions for purposes of demonstration compliance with applicable rules.
- F. Given the number of shedding facilities that have become subject to RFI's similar to the one received by BRR, what uncontrolled emission factors are known to USEPA?



EPA Region 2 Meeting Brooklyn Resource Recovery, Inc. – Brooklyn, New York

7. NEXT STEPS

- A. BRR will provide EPA with credible uncontrolled shredder emission factors for the pollutants identified in the RFI. This information will include documentation of test results from which the emission factors were developed.
 - I. Total gaseous organic compounds (by Method 25A)
 - II. Volatile organic hazardous air pollutant emissions
 - III. Methane and ethane
 - IV. Filterable Particulate Matter (by Method 5)
 - V. Metals identified as analytes Method 29, including mercury
 - VI. Hexavalent chromium
- B. Based on the above, BRR will identify maximum hourly and annual emissions for these pollutants.
- C. BRR will identify applicable NYSDEC and federal rules and requirements.
- D. BRR will apply for a NYSDEC Air Facility Permit pursuant to Part 201-5.